

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 HUGO TOVAR GRAMAJO,)
10 Petitioner,) CASE NO. C06-1663-RSL-JPD
11 v.)
12 ALBERTO R. GONZALES, et al.,) ORDER TO SHOW CAUSE
13 Respondents.)

On November 16, 2006, petitioner, proceeding through counsel, filed a Petition for Writ of Habeas Corpus and Motion for Stay of Removal pursuant to 28 U.S.C. § 2241, challenging the lawfulness of his final order of removal to Guatemala based on ineffective assistance of counsel. (Dkt. #1). The same day, the Court granted petitioner a temporary stay of removal but ordered petitioner to show cause within fourteen calendar days why the Court should not deny petitioner's request for stay of removal and dismiss petitioner's habeas petition for lack of jurisdiction. (Dkt. #3). To date, petitioner has not responded to the Court's Order to Show Cause.

Accordingly, the Court does hereby find and ORDER:

(1) Petitioner shall show cause within five (5) calendar days why the Court should not deny petitioner's request for stay of removal and dismiss petitioner's habeas petition for lack of jurisdiction. If petitioner does not respond to the Court's order, petitioner's habeas petition will be dismissed.

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(2) The Clerk shall direct a copy of this Order to petitioner, and shall forward a copy of this Order to the Honorable Robert S. Lasnik.

3 DATED this 5th day of December, 2006.

s/ James P. Donohue
United States Magistrate Judge

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